

the world would we eliminate the cap instead of providing support for those who are on the frontline, those screeners?

Since screening personnel check more than 2 million pieces of luggage and go through and see millions of people a day, we should upgrade their salaries and their skills.

Mr. REYNOLDS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1 minute to the gentleman from California (Mr. FILNER), my good friend.

Mr. FILNER. Mr. Speaker, I thank the gentleman for yielding me time.

When I fly to Washington from Lindbergh Field in San Diego and I check in my bags, I see hardworking people trying to do their best for the American public. But they are paid the minimum wage. They get 2 days of training, and there is almost a 200 percent turnover per year at our airport in San Diego.

Mr. Speaker, it is time to professionalize, it is time to stabilize, it is time to federalize that first line of defense for the traveling public. We would not contract out the defense of our border to the private sector. We are not going to contract out our national security. Let us not contract out the airline public safety.

Mr. Speaker, it is time stabilize, it is time to professionalize, it is time to federalize our airline security workforce. Let us pass the Oberstar-Ganske substitute.

Mr. REYNOLDS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1 minute to the gentlewoman from California (Ms. ESHOO), my good friend.

Ms. ESHOO. Mr. Speaker, I thank my distinguished colleague from Florida for the work that he has done on this and how he is handling it, which is always, his work always bears the mark of excellence.

Mr. Speaker, I have long thought that our Nation's airports are part of our Nation's security. That was debated in the Congress for many years. September 11 changed that attitude in the country. I do not think there is a citizen in our Nation today that would question that our national airports are and should be part of our national security. That is why I rise in support of the Oberstar-Lipinski-DeFazio bill.

Now, the Senate passed it 100 to nothing. For those that say this is partisan, it does not have to be. The Senate showed the way. They very seldom do. We know that our firefighters are part of public service. We do not go to the ABC Corporation to hire them. We do not hire our police officers that way.

Today, we need Federal standards, Federal training, baggage checks; and our Nation's airports must, indeed, be part of our national security. We need to pass the bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. THORNBERRY). The Chair would also remind all Members that it is improper to characterize the action or inaction of the Senate.

Mr. REYNOLDS. Mr. Speaker, I continue to reserve the balance of my time.

PARLIAMENTARY INQUIRY

Mr. HASTINGS of Florida. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HASTINGS of Florida. Is it inappropriate to characterize that the Senate voted 100 to nothing on a specific measure?

The SPEAKER pro tempore. The Chair would respond to the gentleman that it is appropriate to state the collective facts of a Senate vote. It is inappropriate to characterize an action or inaction of the Senate.

Mr. HASTINGS of Florida. We could not even call it overwhelming. Okay.

Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from California (Ms. MILLENDER-MCDONALD), my good friend.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I rise in strong opposition to the rule for H.R. 3150, because this bill does not address some of the critical issues raised by millions across this country, port authorities, aviation authority and rail authorities and emergency preparedness personnel, some of them which are the first-line responders.

□ 1400

There were 20 amendments that were presented to the Committee on Rules, in an attempt to try to fix a flawed bill that does not address anything that has to do with constituents in my district. I have laid-off workers, many of whom are single women, flight attendants. We have not talked about real anti-hijacking training for flight attendants.

I offered a noncontroversial and relevant amendment to H.R. 3150. It would require the Secretary of Transportation, in consultation with Federal departments and agencies, to conduct a threat assessment on all forms of public transportation, public facilities, and gathering places. No such provision is reflected in any of the language in this bill.

I will say to all of my colleagues, vote no on this rule.

Mr. REYNOLDS. Mr. Speaker, I yield 3½ minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Speaker, when all else fails, why do we not consult the facts?

We have heard Members stand up and say that we would not contract out security responsibilities. Mr. Speaker, I will submit that 26 Federal agencies, including the Department of Defense, Department of Justice, Department of State, Army, Air Force, Navy, Coast

Guard, Nuclear Regulatory Commission, our nuclear plants, all contracted out 26 Federal agencies. The list goes on.

Mr. Speaker, this deals with facts. In fact, we do contract this out. We are not asking for any different level.

Mr. Speaker, I ask Members to please not come before the Congress and the American people and tell them that we are protecting those private screening companies that are now doing their job. We take this responsibility away from the airlines, we make it a Federal responsibility. It is federally managed, it is federally supervised. There are Federal background checks. There is Federal testing. Most importantly, there is Federal oversight.

The Israelis, the Europeans, tried the federalize-all-public-employees method, and what did they do? They eventually evolved into a public-private partnership where the government sets the high standards, and that is what we have proposed.

Mr. Speaker, let us deal with the facts. The facts are, this piece of legislation proposed and hastily passed by the Senate creates a two-tier disastrous system, part in the Department of Justice, part in the Department of Transportation. It creates two tiers of law enforcement and leaves law enforcement in the Department of Transportation. It is a disaster.

Mr. Speaker, if we want to pass something in a hurry, yes, we can run up here and tell people we have created 31,000 Federal positions. Yet, they do not have any authority to deal with the problem.

Mr. Speaker, what is even more amazing, Mr. Speaker, I ask Members to read again today's Washington Post. See what is being proposed in the Senate. They are already trying to correct the mess that they passed here.

If we look at one of the provisions of this legislation, and again, I defy the Members, read the bill, they set up an information-sharing for the intelligence system, but they do not share it with the airlines. Who has the passengers list? The airlines. There is no provision in their bill for that.

There is no provision to require all airlines who have passenger lists, for international flights coming into the United States to provide that. That is in our bill. So their bill is a weak, hastily-prepared piece of legislation that would cause untold turmoil and not do the job.

The American people want us to do it right, even if it takes a little longer. We passed legislation in 1996 on airline security and blew it. We passed legislation in 2000, and we still do not have rules in place. There were no rules in place for box cutters.

The biggest flaw, and do not talk about Federal employment, the biggest flaw with the bill proposed by the Senate and the other side is that it has no ability to execute on an immediate basis putting in place rules and regulations. There were no rules September

11 by Federal employees or Federal agencies to prohibit box cutters. There were no rules to get standards in place for baggage screeners.

For 6 years we have been waiting, and this bill will do nothing after this if they pass that bill. It is a shame. It is a sham. Read the bill.

PARLIAMENTARY INQUIRY

Mr. HASTINGS of Florida. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. HASTINGS of Florida. Mr. Speaker, is it not characterizing the Senate's actions to call it a sham, a mess, hastily made, disastrous, and weak?

The SPEAKER pro tempore. The Chair would respond that it is inappropriate to characterize the actions of the Senate. It may be possible to characterize particular pieces of legislation or bills in ways in which it is inappropriate to characterize the action.

Mr. HASTINGS of Florida. Mr. Speaker, I thank the Speaker.

The SPEAKER pro tempore. If the gentleman will suspend, it is appropriate during debate for Members to characterize the content of legislation or address the content. It is inappropriate to characterize the actions of the other body.

Mr. HASTINGS of Florida. So continuing my parliamentary inquiry, "hastily" is not an action? I just want equal admonitions, Mr. Speaker.

The SPEAKER pro tempore. If the gentleman will suspend, the Chair is simply trying to uphold the rules and precedents of the House.

Mr. HASTINGS of Florida. I appreciate it.

The SPEAKER pro tempore. It becomes a delicate matter with some of the words that are being used.

The Chair would recommend that if any Member has any question about language they intend to offer, if they would check with the Parliamentarian, it would certainly be appreciated.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield such time as he may consume to my friend, the gentleman from Indiana (Mr. VISCLOSKEY).

(Mr. VISCLOSKEY asked and was given permission to revise and extend his remarks.)

Mr. VISCLOSKEY. Mr. Speaker, I appreciate the gentleman's yielding time to me.

I rise in support of the Democrat substitute to H.R. 3150.

Mr. Speaker, I rise today in support of the Democratic substitute to H.R. 3150, the Secure Transportation for American Act. This substitute measure would federalize all airport security-screening personnel and restore the feeling of personal security the airline industry lost in the wake of the September 11th terrorist attacks. This is a serious safety issue, one that directly concerns the life and death of innocent Americans, and as such, the solution to this problem should not be politicized.

It has become abundantly clear in recent weeks that the current system of security

checks performed by private firms in our nation's airports do not work, and simply giving the Federal Government oversight over this flawed system will not satisfy the safety standards we, as Americans, should require in air travel. Since September 11th, the news media has presented countless accounts of security breaches at airports by both employees and customers. On a flight from New Orleans to Phoenix a passenger alerted the flight crew to a loaded weapon he had unknowingly brought onboard the airplane, a weapon which was not detected by airport security prior to his boarding the flight. We have also seen evidence of criminals and non-U.S. citizens employed by these private firms, overseeing the passenger and luggage screening on both our domestic and international flights. We need to look no further than right here at Dulles International Airport where Argenbright Security Inc., a foreign corporation, recently agreed to settle Justice Department allegations that the company violated a court order by, among other things, continuing to hire screeners with criminal records. Argenbright got a second chance. Airline passengers will not. As the old adage goes, fool me once, shame on you, fool me twice, shame on me.

Statistics have shown that the national turnover rule for airport screeners is around 120 percent annually. This should not come as a surprise to anyone, as a majority of the screeners receive little training and are often paid less than most the food services employees located within the same airport. With federal law enforcement personnel manning the security operations, we would develop a highly professional security operation, with the proper compensation and benefit programs to attract the right people. This solution would greatly improve the safety of not only airline passengers, but as the events of September 11th have shown, all Americans.

For the first time in our nation's aviation history, parents are struggling with the question of not only whether it is safe for them to fly, but specifically whether it is safe to bring their children along on a commercial airliner. As the father of two young sons, I can sympathize with this difficult dilemma. I want to be able to return to my district and assure all mothers and fathers that I am committed to doing what is necessary so they can safely take their children on family vacations or visits to their grandparents, without the lingering safety doubts we now face.

Airplanes are the primary mode for long distance transportation in this country, and will be for the foreseeable future. It is our duty as federal legislators to restore the confidence of the American people in the safety of air travel. That is why I urge my colleagues to support the Democratic substitute and ensure the safety of the airline industry.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I heard the parliamentary inquiry from the gentleman from Florida. The gentleman from Florida (Mr. MICA) was discussing the contents of the bill. I believe under the rules of the House the gentleman has the freedom to express what he felt was in the legislation.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 1 minute to my good friend, the distinguished gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, the gentleman who preceded me in the well talked about a sham. Let us talk about a sham. They are renaming this bill as the Airport Security Federalization Act. They are going to take the private security employees, the same ones who are failing us today, some of them are even convicted felons, some are illegal aliens, but they are going to put Federal uniforms on them. They are even going to deputize them. But guess what, they are not going to be Federal law enforcement.

They are trying to fool the American public. It is too bad that the United States Congress does not have a rule of the House that requires truth in labeling. The private security firms are failing, and in Europe the large Securicor is a dismal failure at Heathrow. They just had a huge security lapse. They own Argenbright in the United States, who is under criminal indictment for the second time in 1 year for hiring and maintaining known felons on staff, falsifying documents, all under the supervision of probation, and somehow they tell us they are going to supervise these firms better.

No, the people at the door of the House of Representatives are sworn, uniformed Federal law enforcement officers. If that is necessary for us, it is necessary for the traveling public.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, we are at war. We are at war with terrorists that annihilated 6,000 Americans. We have a responsibility to work together to solve this problem.

For me it is not an issue of whether they are Federal employees or non-Federal employees. Under the bill being presented on this side of the aisle, they can be either. We can have Federal employees in some instances, and non-Federal employees in others.

The argument that suggests we are going to hire the same people that failed in the past is simply not true. The new employees will have to meet requirements that some of the people who now do this work cannot meet.

Mr. Speaker, I weep for what we have gone through in the last few weeks, but this is not about Federal employees. It is about airport security.

What I particularly like about the Young-Mica bill is that for the first time, we are going to require that the baggage that goes in the belly of an aircraft be inspected by a date certain. By the year 2003, all baggage in the belly of a plane will be inspected for explosives and weapons. That is an issue of safety that is not covered in the bill that is being presented by the Senate.

When I hear that all Senators voted for it, in the end they all voted for the bill they had. I have some sense that if our bill passes, there will be some on the other side who will support it. It

may not have been their first choice, but they are not going to vote against it because in the end it is about airport security.

I hope we are able to have a sensible debate that treats both sides fairly and does not make these wild claims.

In terms of Federal employees, terrorists would not have gotten into this country unless somebody allowed them to get here. They happened to have been Federal employees. They just were not Federal employees who were doing their job well enough.

We want professionals, whether they are Federal employees or not.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1 minute to my good friend, the gentleman from Illinois, (Mr. LIPINSKI), a gentleman that has a great deal of knowledge about the subject we are discussing.

Mr. LIPINSKI. Mr. Speaker, I thank the gentleman very much for yielding time to me.

First of all, I would like to thank the Committee on Rules and the Speaker for giving us an opportunity to actually have an up-or-down vote on this particular issue we are all debating at the present time, the Federal screening of individuals.

I also would like to compliment the gentleman from Alaska (Chairman YOUNG) and the gentleman from Florida (Chairman MICA) for the great deal of work they have put into this bill. They have done an outstanding job. It would have been nice if we could have come to an agreement, but unfortunately, we could not have done so.

I also want to thank the ranking member, the gentleman from Minnesota (Mr. OBERSTAR), and my very good friend, the gentleman from Oregon (Mr. DEFazio), for all the great work they have done on this bill.

I would simply like to make mention at the present time, the gentleman from Florida (Chairman MICA) has talked about the failure of the FAA and the Department of Transportation to put rules in place over the course of the last 5 to 10 years.

I certainly agree with him on that. That is why I am happy to see that a portion of this legislation is going to be in the Justice Department so we will have other individuals working on this, and I am quite sure that those individuals and the new Deputy Secretary for Security in the Department of Transportation will be able to put everything in place as quickly as possible.

Mr. REYNOLDS. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 1 minute to my good friend, the gentleman from Michigan (Mr. CONYERS), the ranking member of the Committee on the Judiciary.

Mr. CONYERS. Mr. Speaker, I thank my brother and friend on the Committee on Rules for yielding time to me.

Mr. Speaker, the manager's amendment should be opposed and we should support the Democratic substitute, because the limits on legal liability here are a little bit amazing. Legislation designed to enhance airport security would end up harming victims and rewarding the very firms whose negligence has contributed to the September 11 terrorist attacks.

Mr. Speaker, the amendment does this by providing liability relief to any person liable for any damages arising out of the September 11 hijacking. What does that mean? The baggage screening firms would be protected from liability if they hired incompetent employees or deliberately failed to check for weapons. Where is the justice in that?

I urge Members to consider liability provisions that go far beyond the protections included in the airline bailout bill we passed.

Mr. REYNOLDS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1½ minutes to my good friend, the gentlewoman from Texas (Ms. JACKSON-LEE), representing Houston and other areas of the world.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman from Florida for yielding time to me and for his great work.

Mr. Speaker, the Committee on Transportation and Infrastructure and the Rules Committee should be thanked for allowing the Senate bill which federalizes airline security to be worked on.

I also thank the gentleman from Minnesota (Mr. OBERSTAR) for his work, and the gentleman from Alaska (Mr. YOUNG), and all of the ranking members of that committee.

Mr. Speaker, on Monday this past week a high alert was issued to the United States of America. It is well known that we are in a crisis. On September 11, the airline security system of our Nation failed the thousands that died. Those who worked there really did not fail, it was the contract system that did not train them and did not pay them.

That is why today, Mr. Speaker, I rise for a singular reason: to support the Oberstar substitute to the underlying aviation security bill. The substitute bill is the exact same bill that the bipartisan Senate voted on 100 to 1.

That bill, if we pass it today, at 8:05 can be on the President's desk and he can sign it, more than 1½ months after the day of the terrorist attack against America. We must say to the American people that the Federal Government will provide for their security on our airliners.

It makes a difference to have every checked bag screened, to have airfield security, and to include the provision for Federal air marshals on our airplanes.

However, Mr. Speaker, we need also to insure that this legislation allows for the opportunity for those existing contract screening employees to apply for these new federal jobs.

Many of these employees desire to offer their services to the new system and they should be allowed to do so.

□ 1415

I thank the gentleman from Florida (Mr. HASTINGS) because this is an important issue. We will for the first time in the United States of America be checking every bag that goes on the airplane, checking all checked bags. We will have Federal air marshals. We will have a reinforced cockpit. But what will be most important is the flight crew will have air hijacking training; give those frontline people, the flight attendants, the pilots, who we hope will not have to come out of the cockpit, that kind of safety training.

This is an important piece of legislation. If Members only knew the Calderon family and the children, ages 4 years and 20 months old, that lost their mother in the World Trade crash, they would know that we have to pass this bill. I ask my colleagues to support this legislation. I am disappointed that we have yet to provide for the laid off workers impacted by Sept. 11, therefore I will vote to defeat the previous question.

Mr. REYNOLDS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 1 minute to the very thoughtful gentlewoman from California (Mrs. CAPPS), who has distinguished herself in this body.

Mrs. CAPPS. Mr. Speaker, I thank my colleague for yielding me time. I rise in strong support of the Oberstar substitute to make our skies safe.

September 11 demonstrated that aviation security must be part of the frontline of our national defense. As such, it must be the responsibility of Federal Government. This means putting professional law enforcement agents in charge of securing our airports and our airplanes. This is essential to protect American citizens.

Mr. Speaker, those of us who fly across the country back and forth each week have come to know the flight attendants, the pilots and the gate attendants very well. They are passionate as they tell us that today's system simply does not work. The present system has not worked in the past as we have seen, and it will not work in the future.

The Oberstar substitute makes substantive and fundamental changes in our airport security. It will give the public confidence to fly again. We need professional law enforcement in charge, and this includes a process by which every piece of baggage can be screened. I urge my colleagues to support the Oberstar substitute.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Speaker, I thank my friend for yielding me time. I had not planned to discuss this bill, but I felt obliged to come over here and join the fray.

This airline security proposal is a much-needed piece of legislation. The

Young-Mica bill federalizes the process and the process should indeed be federalized. But should we bring 25,000 to 28,000 additional Federal employees on the payroll to be subsidized by taxpayers where the Government will be virtually inflexible as far as getting them on board, getting them on-line? Lord only knows how long that would take. And once they are on-line, in the event of abuse of employment, to terminate them would be virtually impossible.

I do not suggest, Mr. Speaker, that we need to emulate other countries, but I do think we can learn from other countries. The United Kingdom, Belgium, Israel, the Netherlands, perhaps others tried federalizing screeners and baggage employees initially, and I am told that each of those four scrapped the plans and perhaps other countries have done so as well.

I think to federalize the process is a course that we need to pursue to give the Federal Government to give the Congress, in fact, this body and the other body, much oversight to see that it is done properly, but not to have these additional thousands of employees on the Federal payroll to do a job that I think can better be done, provided the standards are properly enhanced; and I am confident they will be. Provided that is addressed, the way to do it is as laid out in Young-Mica, Mr. Speaker.

I urge my colleagues to support the Young-Mica bill.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 1 minute to the gentlewoman from Indiana (Ms. CARSON), my very good friend.

Ms. CARSON of Indiana. Mr. Speaker, I thank my dear friend, the gentleman from Florida (Mr. HASTINGS), who is certainly a superhero on behalf of the citizens of this country and across this Nation.

Mr. Speaker, when Thomas Edison was attempting to invent the light bulb, history suggested he tried thousands and thousands of ways, maybe 8,000, maybe 10,000. Nobody said that Thomas Edison failed to invent the light bulb. They said he simply discovered 10,000 ways that it would not work. So I am here because I know I have to be very careful about the words that I use about the manager's amendment, so I cannot call it shameless or callous or indifferent or dispassionate because that may intrude upon House rules.

So let me simply say that it will not work. I am here to represent people that are out of work and who need to work. I am here to represent people who ride the airplanes on a daily basis and are waiting for Congress to provide some common sense to protect those riders who have to fly across America, from sea to shining sea as we would wave our flag. I support the Oberstar substitute amendment because it will work.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from Cali-

fornia (Mr. DREIER), the distinguished chairman of the Committee on Rules.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I thank my friend for yielding me time.

Mr. Speaker, I know that the debate has already begun on this issue, and I would like to take just a couple of moments to say what this bill is not.

I have been following the media coverage and many people say that this measure, the package that the gentleman from Alaska (Mr. YOUNG) is going to be managing here, will block the federalization of those who are screeners at airports. It does not do that at all.

Basically, what we are saying is rather than having the United States Congress micromanage the process of determining what the very best system is to ensure the safety and security of travelers is to allow some kind of flexibility.

We know that under this bill there would be a new Secretary who would handle this, but frankly the Secretary of Transportation is the former chairman of the Committee on Transportation and Infrastructure in this place, one of the predecessors to the gentleman from Alaska (Mr. YOUNG). He was a Democratic Member of this House. He is still a Democrat as far as I know, and he is our former colleague, Norm Mineta; and he is the Secretary of Transportation.

What we want to do, Mr. Speaker, is to ensure that they have the flexibility, the tools so that they can go forward and decide how to best implement a system that will ensure the safety of our travelers here in the United States. So I think that that needs to be understood as we proceed with this debate.

The rule is very fair. It does provide, in fact, an opportunity for not only a manager's amendment, which the gentleman from Alaska (Mr. YOUNG) will be offering, addressing a wide range of concerns, and we worked very carefully to make modifications in his manager's amendment so we could address some of the concerns of Members who came forward over the last few days; and at the same time we do provide the Democratic substitute, which the gentleman from Minnesota (Mr. OBERSTAR) will be offering.

I think that at the end of the day we clearly should pass this rule, and I think there should be strong bipartisan support for that; but understand that we are not preempting any kind of decision that this administration might make. It is just that we entrust with them the power and the authority to make what we believe will be an appropriate decision to ensure the safety of all travelers.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Oregon (Mr. BLUMENAUER), my good friend.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman from Flor-

ida's (Mr. HASTINGS) courtesy in allowing me to speak on this rule and this issue.

I take rare exception with my friend from California who just spoke. The notion somehow that we are going to establish a system that is going to deal with the problems of an already failed, decentralized, privatized system for hundreds of airports is not micro-management. Being able to step forward with a Federal program similar to what we had with the Customs Service, what we have benefiting people here in the Capitol, as my good friend from Florida has pointed out, is not micro-management.

What we are doing is acknowledging that the American public deserves our best. The Senate has already ratified by a hundred votes a program that steps up. We are not Europe where we have one or two airports in a small country. We have more airports in a small portion of the United States than they have in the entire European Union.

The only way we are going to get the training, the professionalism and the uniform protection around the country is to vote for the Oberstar proposal. I strongly urge my colleagues to do so.

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from South Dakota (Mr. THUNE).

Mr. THUNE. Mr. Speaker, I thank the gentleman for yielding me the time, and I commend him on fashioning a rule that I think is fair and allows for a spirited debate on this subject.

I would simply say to my colleagues in the House that the bottom line here is how do we make air travel as safe and secure as we possibly can. It is not about whether it is Federal employees or it is not Federal employees. The President of the United States, President Bush, has asked for the House proposal and the House approach which gives him the discretion and the latitude to say whether or not we ought to have Federal employees; and perhaps in some cases, particularly at the bigger airports, that will make sense.

The problem with the Senate bill is it treats airports across this country differently. There are the bigger airports that will have one level of safety and security; and the smaller ones, like many that I represent in South Dakota, will have an entirely different set of safety and security standards.

Secondly, it charges people who fly from remote locations, airports like those that I represent, a higher fee. That is inherently unfair.

We need a system that provides safety and security and treats air travelers the same, irrespective of where they originate. That is what we ought to get. That is what this bill does, and I hope that we can adopt it today.

Mr. HASTINGS of Florida. Mr. Speaker, I would like to ask my distinguished colleague from New York how many more speakers he has.

Mr. REYNOLDS. Mr. Speaker, I have just a couple of speakers; and once the

gentleman yields back his time, I will close out with a summary.

Mr. HASTINGS of Florida. Mr. Speaker, how much time remains?

The SPEAKER pro tempore (Mr. THORNBERRY). I would say to the gentleman from Florida (Mr. HASTINGS) that both sides have 3 minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. OBERSTAR), the distinguished ranking member of the Committee on Transportation and Infrastructure.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for yielding the time, the very distinguished gentleman from Florida (Mr. HASTINGS), who has so ably led the debate on our side on this rule; and I do appreciate that the rule makes in order the Oberstar-Ganske substitute without playing any parliamentary games with it.

In a moment, the manager on the Republican side for the rule will be offering an amendment to substitute a new manager's amendment for the manager's amendment made in order last night, and I call this the weight-and-balance amendment. It is an aviation term used on board small commuter aircraft when they need to shift people and baggage around to make sure the plane does not tilt one way or another or crash. They have so much ballast on board this bill that it is about to sink.

So now they are coming in adding parking lots for financial aid with other airport restaurants, shops, concessionaries. They are taking out something which is very embarrassing, preferred, in the gentleman's language, I think it means deferred, compensation for airline employees. That is the well-known Delta amendment, Delta Airlines, and then adds language for hiring airline workers to screeners, and where possible, security companies should be American companies.

That is really going to be a fun thing to do. They are going to do an awful lot of negotiating and renegotiating of contracts. They are going to have a fun time with that; but then my good friend, the chairman of the Subcommittee on Aviation, characterized the Senate bill as sloppily drawn, hastily drawn, but there is a lot of haste in the provisions here in this new manager's amendment that are internally contradictory.

I just think that it is ditch a little here, add a little there and again it is hastily drawn.

Mr. REYNOLDS. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I would inquire of my distinguished colleague, we have one speaker remaining, and if the gentleman would utilize at least one of his speakers.

Mr. REYNOLDS. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my distinguished colleague, and I yield myself the remaining time.

I have heard an alarming amount of discussion on this floor of the House today, suggesting that there may be something wrong with federalizing employees who have the responsibility to check luggage and screen passengers.

□ 1430

I have been a Federal employee three times in my life, and each of those three times I felt a whole whale of a lot more secure than I did when I was a minimum-wage worker stripping celery. What federalization does is provide worker security, it provides better wages, it provides better health care, the same kind of health care that we have, and it enhances morale.

All of us go through those checkpoints at airports and all of us are confronted with the same persons that had the responsibility on September 11 who, in many instances, are poorly trained, poorly paid, and their morale is at its lowest ebb on a continuing basis. At the very least we need to ensure that they are trained.

I urge a "no" vote on the previous question so we can take up the Airline Industry Worker Benefits bill immediately after passage of the Insecure Airline Security bill.

Mr. REYNOLDS. Mr. Speaker, do I understand the Democrat minority time has expired?

The SPEAKER pro tempore (Mr. THORNBERRY). The gentleman is correct.

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Speaker, let me just again try to set the record straight. We heard speakers say that these screeners, and they continue to pick on sort of the lowest end of the feeding chain here, the lowest paid, were at fault on September 11.

My fellow colleagues, our intelligence system and Federal employees involved in intelligence failed. We did not know who the hijackers were. Our Federal employees who issued visas failed, because most of the hijackers came into this country with visas issued by Federal Government employees. Our FAA failed because we had no rules in place for box cutters.

We have no provision for expedited rulemaking in the Senate bill, and that is the biggest flaw. It takes, on average, 3.8 years to pass a rule through the Department of Transportation. Look at the bill. They leave technology with the Department of Transportation; 3.8 years to get in place technology that will do the job. It will not work.

Mr. REYNOLDS. Mr. Speaker, I yield myself the balance of my time.

The comprehensive legislation before us today focuses on our Nation's security system. The security plan establishes a new transportation security administration within the Department of Transportation that will be responsible for security of all forms of transportation, not just air travel.

As the holiday season fast approaches, it is more important than

ever that Americans are free to spend time with their families and loved ones. It is incumbent upon us to do everything in our power to make sure their travel by any means, but especially by air, is as safe and secure as possible. By passing this rule and its underlying legislation, we can quickly move forward with the important business of making our airports safe and secure for the American people.

AMENDMENT OFFERED BY MR. REYNOLDS

Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment Offered by Mr. REYNOLDS:

At the end of the resolution add the following:

SEC. 2. Notwithstanding any other provision of this resolution, the amendment specified in section 3 of this resolution shall be in order in lieu of the amendment printed in House Report 107-264 and numbered 1.

SEC. 3. The amendment referred to in section 2 is as follows:

AMENDMENT TO H.R. 3150

OFFERED BY MR. YOUNG OF ALASKA

Page 1, line 6, strike "Secure Transportation for America Act of 2001" and insert "Airport Security Federalization Act of 2001".

In the table of contents after line 8, strike the item relating to section 15 and insert the following:

Sec. 15. Technical corrections.

Page 2, before line 9, insert the following:

TITLE I—AVIATION SECURITY

Redesignate sections 2 through 22 of the bill as sections 101 through 121, respectively.

Conform the table of contents of the bill, accordingly.

Page 13, line 17, strike "(1) in subsection (a) by striking" and inserting the following:

(1) in subsection (a)—

(A) by striking "a cabin of"; and

(B) by striking

Page 14, line 2, strike "The responsibility" and insert the following:

"(1) IN GENERAL.—The responsibility

Page 14, after line 8, insert the following:

"(2) ADDITIONAL SCREENING AUTHORITY.—

The Under Secretary may perform any such additional screening of passengers and property on passenger aircraft in air transportation that originates in the United States or intrastate air transportation that the Under Secretary deems necessary to enhance aviation security.

Page 14, line 20, strike the closing quotation marks and the final period and insert the following:

"(g) DEPUTIZATION OF AIRPORT SCREENING PERSONNEL.—The Under Secretary shall deputize, for enforcement of such Federal laws as the Under Secretary determines appropriate, all airport screening personnel as Federal transportation security agents and shall ensure that such agents operate under common standards and common uniform, insignia, and badges. The authority to arrest an individual may be exercised only by supervisory personnel who are sworn, full-time law enforcement officers."

Page 15, after line 24, insert the following:

"(7) a requirement that any private security firm retained to provide airport security services be owned and controlled by a citizen of the United States, to the extent that the President determines that there are firms owned and controlled by such citizens;

Page 16, line 1, strike "(7)" and insert "(8)".

Page 16, line 2, strike "and".

Page 16, line 3, strike “(8)” and insert “(9)”.

Page 16, line 7, strike both periods and the closing quotation marks and insert “; and” and the following:

“(10) a preference for the hiring of any individual who is a former employee of an air carrier and whose employment with the air carrier was terminated as a result of a reduction in the workforce of the air carrier.”.

Page 16, lines 11 and 12, strike “Secure Transportation for America Act of 2001” and insert “Airport Security Federalization Act of 2001”.

Page 16, line 20, strike “pursuant” and insert “pursuant to”.

Page 19, line 22, strike “and”.

Page 20, line 2, strike the period and insert “; and” and the following:

(J) the ability to demonstrate daily a fitness for duty without any impairment due to illegal drugs, sleep deprivation, medication, or alcohol.

Page 21, line 14, strike “and”.

Page 21, line 20, strike the period and insert a semicolon and the following:

“(5) require air carriers to provide, on a space-available basis, to an off-duty Federal air marshal a seat on a flight to the airport nearest the marshal’s home at no cost to the marshal or the United States Government if the marshal is traveling to that airport after completing his or her security duties; and

“(6) provide, in choosing among applicants for a position as a Federal air marshal, a preference for the hiring of a pilot of an air carrier whose employment with the air carrier was terminated as a result of a reduction in the workforce of the air carrier if the pilot is otherwise qualified for the position.

Page 22, line 3, after “consultation with” insert “and concurrence of”.

Page 22, before line 10, insert the following:

(c) BASIC PAY DEFINED.—Section 8331(3)(E) of title 5, United States Code, is amended to read as follows:

“(E) availability pay—

“(i) received by a criminal investigator under section 5545a of this title; or

“(ii) received after September 11, 2001, by a Federal air marshal of the Department of Transportation.”.

Page 24, line 1, strike “Provide” and insert “Establish performance goals for individuals described in paragraph (6), provide”.

Page 24, lines 2 and 3, strike “individuals described in paragraph (6)” and insert “such individuals.”.

Page 26, after line 2, insert the following:

“(16) Establish a uniform system of identification for all State and local law enforcement personnel for use in obtaining permission to carry weapons in aircraft cabins and in obtaining access to a secured area of an airport.

“(17) Establish requirements under which air carriers, under the supervision of the Under Secretary, could implement trusted passenger programs and use available technologies to expedite the security screening of passengers who participate in such programs, thereby allowing security screening personnel to focus on those passengers who should be subject to more extensive screening.

“(18) In consultation with the Commissioner of Food and Drugs, develop security procedures under which a medical product to be transported on a flight of an air carrier would not be subject to manual or x-ray inspection if conducting such an inspection would irreversibly damage the product.

“(19) Develop security procedures to allow passengers transporting a musical instrument on a flight of an air carrier to transport the instrument in the passenger cabin of the aircraft, notwithstanding any size or other restriction on carry-on baggage but

subject to such other reasonable terms and conditions as may be established by the Under Secretary or the air carrier, including imposing additional charges by the air carrier.

“(20) Provide for the use of wireless and wire line data technologies enabling the private and secure communication of threats to aid in the screening of passengers and other individuals on airport property who are identified on any State or Federal security-related data base for the purpose of having an integrated response coordination of various authorized airport security forces.

Page 26, strike line 19 and all that follows through line 7 on page 27 and insert the following:

“(d) PROPERTY SECURITY PROGRAM.—

“(1) CHECKED BAGGAGE.—

“(A) FINAL DEADLINE FOR SCREENING.—A system must be in operation to screen all checked baggage at all airports in the United States no later than December 31, 2003.

“(B) USE OF EXPLOSIVE DETECTION EQUIPMENT.—The Under Secretary shall ensure that explosive detection equipment installed at airports to screen checked baggage is used to the maximum extent possible.

“(C) INSTALLATION OF ADDITIONAL EXPLOSIVE DETECTION EQUIPMENT.—The Under Secretary shall install additional explosive detection equipment at airports as soon as possible to ensure that all checked baggage is screened before being placed in an aircraft.

“(D) INTERIM BAG-MATCH PROGRAMS.—Until the Under Secretary has installed enough explosive detection equipment at airports to ensure that all checked baggage is screened, the Under Secretary shall require air carriers to implement bag-match programs that ensure that no checked baggage is placed in an aircraft unless the passenger who checks the baggage is aboard the aircraft.

“(2) CARGO DEADLINE.—A system must be in operation to screen all cargo that is to be transported in passenger aircraft in air transportation as soon as possible after the date of enactment of this paragraph.

Page 29, line 10, strike “and” and insert the following:

(2) by adding at the end of paragraph (1) the following:

“(G) BACKGROUND CHECKS OF CURRENT EMPLOYEES.—A background check (including a criminal history record check and a review of available law enforcement data bases and records of other governmental and international agencies) shall be required for any individual who currently has unescorted access to an aircraft of an air carrier or foreign air carrier, unescorted access to a secured area of an airport in the United States that serves an air carrier or foreign air carrier, or is responsible for screening passengers or property, or both, unless that individual was subject to such a background check before the individual began his or her current employment or is exempted from such a check under section 107.31(m) of title 14, Code of Federal Regulations.”; and

Page 29, line 11, strike “(2)” and insert “(3)”.

Page 34, strike line 23 and all that follows through line 4 on page 35 and insert the following:

“(c) AIRPORT SECURITY.—

“(1) IN GENERAL.—There is authorized to be appropriated to the Secretary for fiscal years 2002 and 2003 a total of \$1,500,000,000 to reimburse airport operators for direct costs incurred by such operators to comply with new, additional, or revised security requirements imposed on such operators by the Federal Aviation Administration or Transportation Security Administration on or after September 11, 2001. Such sums shall remain available until expended.

“(2) CONDITIONS.—Before providing financial assistance to an airport operator with funds appropriated pursuant to paragraph (1), the Secretary shall require the operator to provide assurances that the operator will—

“(A) meet with the tenants of the airport (other than air carriers and foreign air carriers) to discuss adjustments of the rent of the tenants to account for losses in revenue incurred by the tenants on and after September 11, 2001; and

“(B) provide to the Secretary an itemized list of costs incurred by the operator to comply with the security requirements described in paragraph (1), including costs relating to landing fees, automobile parking revenues, rental cars, restaurants, and gift shops.”.

Page 36, line 9, strike “subsection (b)” and insert “paragraph (2)”.

Page 39, lines 16 and 17, strike “Secure Transportation for America Act of 2001” and insert “Airport Security Federalization Act of 2001”.

Page 43, line 22, after “sponsor” insert “or at a privately owned or operated airport passenger terminal financed by indebtedness incurred by the sponsor”.

Page 44, beginning on line 25, strike “Secure Transportation for America Act of 2001” and insert “Airport Security Federalization Act of 2001”.

Page 45, after line 15, insert the following:

(d) MAXIMUM AMOUNT OF COMPENSATION PAYABLE PER AIR CARRIER.—Section 103 of such Act is amended by adding at the end the following:

“(d) COMPENSATION FOR AIR CARRIERS PROVIDING AIR AMBULANCE SERVICES.—

“(1) SET-ASIDE.—The President may set aside a portion of the amount of compensation payable to air carriers under section 101(a)(2) to provide compensation to air carriers providing air ambulance services. The President shall reduce the \$4,500,000,000 specified in subsection (b)(2)(A)(i) by the amount set aside under this subsection.

“(2) DISTRIBUTION OF AMOUNTS.—The President shall distribute the amount set aside under this subsection proportionally among air carriers providing air ambulance services based on an appropriate auditable measure, as determined by the President.”.

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

SEC. 122. REQUIREMENT TO HONOR PASSENGER TICKETS OF OTHER CARRIERS.

(a) IN GENERAL.—Subchapter I of chapter 417 is amended by adding at the end the following:

“§41722. Requirement to honor passenger tickets of other carriers

“Each air carrier that provides scheduled air transportation on a route shall provide, to the extent practicable, air transportation to passengers ticketed for air transportation on that route by any other air carrier that suspends, interrupts, or discontinues air passenger service on the route by reason of an act of war or terrorism or insolvency or bankruptcy of the carrier.”.

(b) CONFORMING AMENDMENT.—The analysis for such subchapter is amended by adding at the end the following:

“41722. Requirement to honor passenger tickets of other carriers.”.

SEC. 123. SENSE OF CONGRESS ON CERTAIN AVIATION MATTERS.

(a) FLIGHT SERVICE STATION EMPLOYEES.—It is the sense of Congress that the Administrator of the Federal Aviation Administration should continue negotiating in good faith with flight service station employees of the Administration with a goal of reaching agreement on a contract as soon as possible.

(b) WAR RISK INSURANCE.—It is the sense of Congress that the Secretary of Transportation should implement section 202 of the

Air Transportation Safety and System Stabilization Act (Public Law 107-42) so as to make war risk insurance available to vendors, agents, and subcontractors of general aviation aircraft.

(c) **TRANSPORT OF ANIMALS.**—It is the sense of Congress that an air carrier that transports mail under a contract with the United States Postal Service should transport any animal that the Postal Service allows to be shipped through the mail.

(d) **SCREENING.**—It is the sense of Congress that the Under Secretary of Transportation for Security should require, as soon as practicable, that all property carried in a passenger aircraft in air transportation or intrastate air transportation (including checked baggage) be screened by any currently available means, including X-ray machine, hand-held metal detector, explosive detection system equipment, or manual search.

(e) **CONTRACTS FOR AIRPORT SECURITY SERVICES.**—It is the sense of Congress that, in awarding a contract for airport security services, the Under Secretary of Transportation for Security should, to the maximum extent practicable, award the contract to a firm that is owned and controlled by a citizen of the United States.

TITLE II—VICTIMS COMPENSATION

SEC. 201. LIMITATION ON LIABILITY FOR DAMAGES ARISING OUT OF CRASHES OF SEPTEMBER 11, 2001.

Section 408 of the Air Transportation Safety and System Stabilization Act (Public Law 107-42; 115 Stat. 240; 49 U.S.C. 40101 note) is amended—

(1) by amending the section heading to read as follows:

“SEC. 408. LIMITATION ON LIABILITY FOR DAMAGES ARISING OUT OF CRASHES OF SEPTEMBER 11, 2001.”;

(2) by amending subsection (a) to read as follows:

“(a) **GENERAL LIMITATION OF LIABILITY.**—Except as provided in this section, no Federal court or agency or State court or agency shall enforce any Federal or State law holding any person, or any State or political subdivision thereof, liable for any damages arising out of the hijacking and subsequent crashes of American Airlines flights 11 or 77, or United Airlines flights 93 or 175, on September 11, 2001.”;

(3) in subsection (b), by adding at the end the following new paragraphs:

“(4) **DAMAGES.**—If any party to any action brought under this subsection is determined to be liable—

“(A) no damages in the aggregate ordered by the court to be paid by such party shall exceed the amount of insurance, minus any payments made pursuant to a court approved settlement, which such party is determined to have obtained prior to September 11, 2001, and which is determined to cover such party's liability for any damages arising out of the hijacking and subsequent crashes of American Airlines flights 11 or 77, or United Airlines flights 93 or 175, on September 11, 2001;

“(B) such party shall not be liable for interest prior to the judgment or for punitive damages intended to punish or deter; and

“(C) the court shall reduce the amount of damages awarded to a plaintiff by the amount of collateral source compensation that the plaintiff has received or is entitled to receive as a result of the terrorist-related aircraft crashes of September 11, 2001.

“(5) **ATTORNEYS' FEES.**—Reasonable attorneys' fees for work performed in any action brought under this subsection shall be subject to the discretion of the court, but in no event shall any attorney charge, demand, receive, or collect for services rendered, fees in

excess of 20 percent of the damages ordered by the court to be paid pursuant to this subsection, or in excess of 20 percent of any court approved settlement made of any claim cognizable under this subsection. Any attorney who charges, demands, receives, or collects for services rendered in connection with such claim any amount in excess of that allowed under this subsection, if recovery be had, shall be fined not more than \$2,000 or imprisoned not more than one year, or both.”;

(4) by amending subsection (c) to read as follows:

“(c) **EXCLUSION.**—Nothing in this section shall in any way limit any liability of any person who—

“(1) hijacks any aircraft or commits any terrorist act; or

“(2) knowingly participates in a conspiracy to hijack any aircraft or commit any terrorist act.”; and

(5) by adding at the end the following new subsections:

“(d) **DISCLAIMER.**—Nothing herein implies that any person is liable for damages arising out of the hijacking and subsequent crashes of American Airlines flights 11 or 77, or United Airlines flights 93 or 175, on September 11, 2001.

“(e) **STATE DEFINED.**—In this section, the term ‘State’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, and any other territory of possession of the United States or any political subdivision of any of the foregoing.”.

Mr. REYNOLDS (during the reading). Mr. Speaker, I ask unanimous consent the amendment be considered as read, printed in the RECORD, and shall not be deemed as a precedent, although the Reading Clerk has done an outstanding job thus far.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. COLLINS. Objection, Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue to read.

The Clerk continued reading the amendment.

□ 1445

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the Reading Clerk for his outstanding job of reading the amendment that I brought before the House. This simply substitutes the manager's amendment made in order last night by the Committee on Rules with a new manager's amendment that eliminates a provision dealing with preferred compensation for airline employees, and adds airport parking lots to a provision that requires airports receiving financial aid to work with airport restaurants, shops and other concessionaires on rent adjustments to account for their loss of revenue.

The new manager's amendment also adds language that establishes a preference for the hiring of laid-off airline workers as screeners, and a provision that states where possible, airline security companies should be American companies. I urge its adoption.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on both the amendment and the resolution.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

PREVIOUS QUESTION FOR RULE ON H.R. 3150, SECURE TRANSPORTATION FOR AMERICA ACT OF 2001

At the end of the resolution add the following new sections:

SEC. . Notwithstanding any other provision in this resolution, immediately after disposition of H.R. 3150, the Speaker shall declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2955) to provide assistance for employees who are separated from employment as a result of reductions in service by air carriers, and closures of airports, caused by terrorist actions or security measures. The first reading of the bill shall be dispensed with. All points of order against considerations of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. . If the Committee of the Whole rises and reports that it has come to no resolution on H.R. 3150 or H.R. 2955, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of that bill.

The SPEAKER pro tempore (Mr. THORNBERRY). The question is on ordering the previous question on the amendment and on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on the question of agreeing to the amendment and on the question of agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 218, nays 207, not voting 7, as follows:

[Roll No. 419]

YEAS—218

Aderholt	Ballenger	Bereuter
Akin	Barr	Biggart
Armey	Bartlett	Bilirakis
Bachus	Barton	Blunt
Baker	Bass	Boehrlert

Boehner	Hastings (WA)	Portman	Jefferson	McNulty	Sanders	Coble	Israel	Otter
Bonilla	Hayes	Pryce (OH)	John	Meehan	Sandlin	Collins	Issa	Oxley
Bono	Hayworth	Putnam	Johnson, E. B.	Meek (FL)	Sawyer	Combest	Istook	Pallone
Brady (TX)	Hefley	Quinn	Jones (OH)	Meeks (NY)	Schakowsky	Condit	Jackson-Lee	Pascarell
Brown (SC)	Herger	Radanovich	Kanjorski	Menendez	Schiff	Cooksey	(TX)	Payne
Bryant	Hilleary	Ramstad	Kaptur	Millender-	Scott	Costello	Jefferson	Pence
Burr	Hobson	Regula	Kennedy (RI)	McDonald	Serrano	Cox	Jenkins	Peterson (MN)
Burton	Hoekstra	Rehberg	Kildee	Miller, George	Sherman	Crane	John	Peterson (PA)
Buyer	Horn	Reynolds	Kilpatrick	Mink	Shows	Crenshaw	Johnson (CT)	Petri
Callahan	Hostettler	Riley	Kind (WI)	Mollohan	Skelton	Crowley	Johnson (IL)	Phelps
Calvert	Houghton	Rogers (KY)	Kingston	Moore	Slaughter	Cubin	Johnson, E. B.	Pickering
Camp	Hulshof	Rogers (MI)	Kleczka	Moran (VA)	Smith (WA)	Culberson	Johnson, Sam	Pitts
Cannon	Hunter	Rohrabacher	Kucinich	Murtha	Snyder	Cunningham	Jones (NC)	Platts
Cantor	Hyde	Ros-Lehtinen	LaFalce	Nadler	Solis	Davis (CA)	Jones (OH)	Pombo
Capito	Isakson	Roukema	Lampson	Napolitano	Spratt	Davis (FL)	Kanjorski	Pomeroy
Castle	Issa	Royce	Langevin	Neal	Stark	Davis (IL)	Kaptur	Portman
Chabot	Istook	Ryan (WI)	Lantos	Ostenstar	Stenholm	Davis, Jo Ann	Keller	Price (NC)
Chambliss	Jenkins	Ryun (KS)	Larsen (WA)	Obey	Strickland	Davis, Tom	Kelly	Pryce (OH)
Coble	Johnson (IL)	Saxton	Larson (CT)	Oliver	Stupak	Deal	Kennedy (MN)	Putnam
Collins	Johnson, Sam	Schaffer	Lee	Ortiz	Tanner	DeGette	Kennedy (RI)	Quinn
Combest	Jones (NC)	Schrock	Levin	Owens	Tauscher	Delahunt	Kerns	Radanovich
Cooksey	Keller	Sensenbrenner	Lewis (GA)	Pallone	Taylor (MS)	DeLauro	Kildee	Rahall
Cox	Kelly	Sessions	Lipinski	Pascarell	Thompson (CA)	DeLay	Kind (WI)	Ramstad
Crane	Kennedy (MN)	Shadegg	Lofgren	Pastor	Thurman	DeMint	King (NY)	Rangel
Crenshaw	Kerns	Shaw	Lowe	Payne	Tierney	Diaz-Balart	Kingston	Regula
Cubin	King (NY)	Shays	Lucas (KY)	Pelosi	Towns	Dicks	Kirk	Rehberg
Culberson	Kirk	Sherwood	Luther	Peterson (MN)	Turner	Doggett	Kleczka	Reyes
Cunningham	Knollenberg	Shimkus	Lynch	Phelps	Udall (CO)	Dooley	Knollenberg	Reynolds
Davis, Jo Ann	Kolbe	Shuster	Maloney (CT)	Pomeroy	Udall (NM)	Doolittle	Kolbe	Riley
Davis, Tom	LaHood	Simmons	Maloney (NY)	Price (NC)	Velazquez	Doyle	Kucinich	Rivers
Deal	Largent	Simpson	Markey	Rahall	Visclosky	Dreier	LaFalce	Rodriguez
DeLay	Latham	Skeen	Mascara	Reyes	Waters	Duncan	LaHood	Roemer
DeMint	LaTourette	Smith (MI)	Matheson	Rivers	Watson (CA)	Ehlers	Langevin	Rogers (KY)
Diaz-Balart	Leach	Smith (NJ)	Matsui	Rodriguez	Watt (NC)	Ehrlich	Lantos	Rogers (MI)
Doolittle	Lewis (CA)	Smith (TX)	McCarthy (MO)	Roemer	Waxman	Emerson	Largent	Rohrabacher
Dreier	Lewis (KY)	Souder	McCarthy (NY)	Ross	Weiner	Engel	Larsen (WA)	Ros-Lehtinen
Duncan	Linder	Stearns	McCollum	Rothman	Wexler	English	Larson (CT)	Ross
Ehlers	LoBiondo	Stump	McDermott	Roybal-Allard	Woolsey	Eshoo	Latham	Rothman
Ehrlich	Lucas (OK)	Sununu	McGovern	Rush	Wu	Etheridge	LaTourette	Roukema
Emerson	Manzullo	Sweeney	McIntyre	Sabo	Wynn	Everett	Leach	Roybal-Allard
English	McCrery	Tancred	McKinney	Sanchez		Farr	Levin	Royce
Everett	McHugh	Tauzin				Ferguson	Lewis (CA)	Rush
Ferguson	McInnis	Taylor (NC)				Fletcher	Lewis (GA)	Ryan (WI)
Flake	McKeon	Terry	Conyers	Greenwood	Thompson (MS)	Foley	Lewis (KY)	Ryun (KS)
Fletcher	Mica	Thomas	Dunn	Johnson (CT)		Forbes	Linder	Sanders
Foley	Miller, Dan	Thornberry	Green (TX)	Rangel		Ford	Lipinski	Sandlin
Forbes	Miller, Gary	Thune				Fossella	LoBiondo	Sawyer
Fossella	Miller, Jeff	Tiahrt				Frank	Lofgren	Saxton
Frelinghuysen	Moran (KS)	Tiberi				Frelinghuysen	Lowe	Schaffer
Gallegly	Morella	Toomey				Gallegly	Lucas (KY)	Schakowsky
Ganske	Myrick	Trafficant				Ganske	Lucas (OK)	Schiff
Gekas	Nethercutt	Upton				Gekas	Luther	Schrock
Gibbons	Ney	Vitter				Gibbons	Lynch	Sensenbrenner
Gilchrest	Northup	Walden				Gilchrest	Maloney (CT)	Serrano
Gillmor	Norwood	Walsh				Gillmor	Maloney (NY)	Sessions
Gilman	Nussle	Wamp				Gilman	Manzullo	Shadegg
Goode	Osborne	Watkins (OK)				Gonzalez	Markey	Shaw
Goodlatte	Ose	Watts (OK)				Goode	Mascara	Shays
Goss	Otter	Weldon (FL)				Goodlatte	Matheson	Sherman
Graham	Oxley	Weldon (PA)				Gordon	Matsui	Sherwood
Granger	Paul	Weller				Goss	McCarthy (MO)	Shimkus
Graves	Pence	Whitfield				Graham	McCarthy (NY)	Shows
Green (WI)	Peterson (PA)	Wicker				Granger	McCrery	Shuster
Grucci	Petri	Wilson				Graves	McDermott	Simmons
Gutknecht	Pickering	Wolf				Green (WI)	McGovern	Simpson
Hall (TX)	Pitts	Young (AK)				Greenwood	McHugh	Skeen
Hansen	Platts	Young (FL)				Grucci	McInnis	Skelton
Hart	Pombo					Gutierrez	McKeon	Slaughter
						Gutknecht	McKinney	Smith (MI)
						Hall (OH)	McNulty	Smith (NJ)
						Hall (TX)	Meehan	Smith (TX)
						Hansen	Meek (FL)	Snyder
						Harman	Meeks (NY)	Solis
						Hart	Menendez	Souder
						Hastings (WA)	Mica	Spratt
						Hayes	Millender-	Stearns
						Hayworth	McDonald	Stenholm
						Hefley	Miller, Dan	Stump
						Herger	Miller, Gary	Sununu
						Hill	Miller, Jeff	Sweeney
						Hilleary	Mollohan	Tancred
						Hilliard	Moore	Tanner
						Hinojosa	Moran (KS)	Tauzin
						Hobson	Moran (VA)	Taylor (MS)
						Hoefel	Morella	Taylor (NC)
						Hoekstra	Murtha	Terry
						Holden	Myrick	Thomas
						Holt	Nadler	Thompson (CA)
						Honda	Napolitano	Thornberry
						Hooley	Neal	Thune
						Horn	Nethercutt	Thurman
						Hostettler	Ney	Tiahrt
						Houghton	Northup	Tiberi
						Hoyer	Norwood	Tierney
						Hulshof	Nussle	Toomey
						Hunter	Obey	Trafficant
						Hyde	Ortiz	Turner
						Inslee	Osborne	Udall (CO)
						Isakson	Ose	Udall (NM)

NOT VOTING—7

Conyers Greenwood Thompson (MS)
Dunn Johnson (CT)
Green (TX) Rangel

□ 1519

Ms. McCOLLUM changed her vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. THORNBERRY). The question is on the amendment offered by the gentleman from New York (Mr. REYNOLDS).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 379, noes 50, not voting 3, as follows:

[Roll No. 420]

AYES—379

Abercrombie	Carson (IN)	Evans	Abercrombie	Bentsen	Burr
Ackerman	Carson (OK)	Farr	Ackerman	Bereuter	Burton
Allen	Clay	Fattah	Aderholt	Berkley	Buyer
Andrews	Clayton	Finer	Akin	Berman	Callahan
Baca	Clement	Ford	Allen	Biggert	Calvert
Baird	Clyburn	Frank	Armey	Bilirakis	Camp
Baldacci	Condit	Frost	Baca	Blagojevich	Cannon
Baldwin	Costello	Gephardt	Bachus	Blunt	Cantor
Barcia	Coyne	Gonzalez	Baird	Boehlert	Capito
Barrett	Cramer	Gordon	Baker	Boehner	Capps
Becerra	Crowley	Gutierrez	Baldacci	Bonilla	Capuano
Bentsen	Cummings	Hall (OH)	Baldwin	Bonior	Cardin
Berkley	Davis (CA)	Harman	Ballenger	Boswell	Carson (OK)
Berman	Davis (FL)	Hastings (FL)	Barcia	Boyd	Castle
Berry	Davis (IL)	Hill	Barr	Brady (TX)	Chabot
Bishop	DeFazio	Hilliard	Barrett	Brown (FL)	Chambliss
Blagojevich	DeGette	Hinchey	Bartlett	Brown (OH)	Clay
Blumenauer	Delahunt	Hinojosa	Barton	Brown (SC)	Clement
Bonior	DeLauro	Hoefel	Bass	Bryant	Clyburn
Borski	Deutsch	Holden	Becerra		
Boswell	Dicks	Holt			
Boucher	Dingell	Honda			
Boyd	Doggett	Hooley			
Brady (PA)	Dooley	Hoyer			
Brown (FL)	Doyle	Inslee			
Brown (OH)	Edwards	Israel			
Capps	Engel	Jackson (IL)			
Capuano	Eshoo	Jackson-Lee			
Cardin	Etheridge	(TX)			

Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)

Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler

Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOES—50

Andrews
Berry
Bishop
Blumenauer
Borski
Boucher
Brady (PA)
Carson (IN)
Conyers
Coyne
Cramer
Cummings
DeFazio
Deutsch
Dingell
Edwards
Evans

Fattah
Filner
Flake
Frost
Green (TX)
Hastings (FL)
Hinchey
Jackson (IL)
Kilpatrick
Lampson
Lee
McCollum
McIntyre
Miller, George
Mink
Oberstar
Oliver

Owens
Pastor
Paul
Pelosi
Sabo
Sanchez
Scott
Smith (WA)
Stark
Strickland
Stupak
Tauscher
Towns
Visclosky
Watson (CA)
Woolsey

NOT VOTING—3

Dunn Gephardt Thompson (MS)

□ 1530

Messrs. FKAKE, DEUTSCH, BISHOP, and CUMMINGS changed their vote from “aye” to “no.”

Messrs. MORAN of Virginia, CLEMENT, RUSH, Mrs. CLAYTON, Messrs. ABERCROMBIE, HONDA, DICKS, and Mrs. MEEK of Florida, Ms.

SCHAKOWSKY, Ms. MCCARTHY of Missouri, and Ms. MILLENDER-McDONALD changed their vote from “no” to “aye.”

So the amendment was agreed to.
The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. THORNBERRY). The question is on the resolution.

The resolution was agreed to.
A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 981

Mrs. NORTHUP. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 981.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 981

Mr. GOODE. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 981.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 981

Mr. LaHOOD. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 981.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 981

Mr. KOLBE. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 981.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Ms. Wanda Evans, one of his secretaries.

NOTICE

Incomplete record of House proceedings.

Today's House proceedings will be continued in the next issue of the Record.